

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 140

Citations Affected:

Synopsis: Conference committee report for ESB 140. Adoption matters. Provides that a man who is barred from establishing paternity under the adoption statutes is prohibited from establishing paternity by filing a paternity action as next friend of the child or requesting a prosecuting attorney to file a paternity action. Prohibits a person who has executed a written consent to the adoption of a child by a certain person from executing a second or subsequent written consent to the adoption of the child by another person, unless certain conditions apply. Removes a provision that allows a father who receives a notice of adoption after the birth of the child to contest the adoption by filing a paternity action. Removes a provision under which the consent of a putative father to the adoption of a child is irrevocably implied if the putative father, after receiving a notice of adoption after the birth of the child, fails to file a paternity action. Provides that the putative father registry provisions do not apply if, on or before the date on which the child's mother executes a consent to the child's adoption, the child's mother discloses the name and address of the putative father to the attorney or agency that is arranging the child's adoption. Provides that a putative father's motion to contest an adoption must be filed in the court in which the adoption is pending. Prohibits a court from granting an adoption if a petitioner for adoption has been convicted of an attempt or conspiracy to commit certain felonies. Authorizes a child placing agency and an attorney to advertise certain adoption information only if licensed under Indiana law. Provides that the crime of unauthorized adoption facilitation does not apply to child placing agencies licensed under Indiana law or attorneys licensed to practice law in Indiana. (Current law provides that the crime of unauthorized adoption facilitation does not apply to child placing agencies licensed under any state's law or attorneys licensed to practice law in any state.) Provides that a court may not grant an adoption if the petitioner is a sexually violent predator. Provides that a petition to terminate the parent-child relationship involving a delinquent child or a child in need of services may include an allegation that the child has, on two separate occasions, been adjudicated a child in need of services. **(This conference committee report makes certain provisions effective upon passage.)**

Effective: Upon passage.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 140 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Replace the effective dates in SECTIONS 1 through 9 with
- 2 "[EFFECTIVE UPON PASSAGE]".
- 3 Page 10, after line 42, begin a new paragraph and insert:
- 4 "SECTION 12. **An emergency is declared for this act.**".
 (Reference is to ESB 140 as reprinted February 24, 2010.)

Conference Committee Report
on
Engrossed Senate Bill 140

Signed by:

Senator Zakas
Chairperson

Representative Lawson L

Senator Broden

Representative Foley

Senate Conferees

House Conferees